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Attorneys for Plaintiff

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

BRANDON BRISKIN, an individual, on
behalf of himself, the general public and
those similarly situated,

Plaintiff,

vs.

SHOPIFY INC.; SHOPIFY (USA), INC.;
and SHOPIFY PAYMENTS (USA), INC.,

Defendants.

CASE NO. 4:21-cv-06269-PJH

PLAINTIFF'S NOTICE OF APPEAL

Hon. Phyllis Hamilton

TO DEFENDANTS AND THEIR ATTORNEYS OF RECORD:

Notice is hereby given that, pursuant to 28 U.S.C. § 1291 and 28 U.S.C. § 2107(a), Plaintiff Brandon Briskin appeals to the United States Court of Appeals for the Ninth Circuit from (a) this Court's order granting Defendants' motions to dismiss (Dkt. No. 66), filed May 5, 2022, and (b) this Court's final judgment dismissing the action (Dkt. No. 67), filed May 5, 2022.

In accordance with the Federal Rule of Appellate Procedure 12(b) and the Ninth Circuit Rule 3-2(b), a Representation Statement is attached as Exhibit A.

Dated: June 1, 2022

Respectfully submitted,

GUTRIDE SAFIER LLP

/s/Seth A. Safier/s/

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EXHIBIT A

REPRESENTATION STATEMENT

In accordance with the Federal Rule of Appellate Procedure 12(b) and the Ninth Circuit Rule 3-2(b), the following list represents all parties to the action and, upon information and belief, their respective counsel by name, address, telephone number, and email address.

Party	Counsel of Record
Plaintiff-Appellants Brandon Briskin	GUTRIDE SAFIER LLP Seth A. Safier (State Bar No. 197427) Marie A. McCrary, Esq. (State Bar No. 262670) Todd Kennedy, Esq. (State Bar No. 250267) 100 Pine Street, Suite 1250 San Francisco, CA 94111 Telephone: (415) 639-9090 Facsimile: (415) 449-6469 seth@gutridesafier.com marie@gutridesafier.com Kali R. Backer (appearing <i>pro hac vice</i>) 4450 Arapahoe Ave., Suite 100 Boulder, CO 80303 Telephone: (415) 639-9090 matt@gutridessafier.com kali@gutridesafier.com
Defendant-Appellee, Shopify Inc., Shopify (USA) Inc., and Shopify Payments (USA) Inc. Company	ORRICK, HERRINGTON & SUTCLIFFE LLP JACOB M. HEATH (SBN 238959) jheath@orrick.com 1000 Marsh Road Menlo Park, CA 94025-1015 Telephone: +1 650 614 7400 Facsimile: +1 650 614 7401 THOMAS FU (SBN 325209) tfu@orrick.com ORRICK, HERRINGTON & SUTCLIFFE LLP 777 South Figueroa Street, Suite 3200 Los Angeles, CA 90017-5855 Telephone: +1 213 629 2020 Facsimile: +1 213 612 2499 ARAVIND SWAMINATHAN (admitted pro hac vice) aswaminathan@orrick.com NICOLE M. TADANO (admitted pro hac vice) ntadano@orrick.com

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1 Dated: June 1, 2022

Respectfully submitted,

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/s/Seth A. Safier

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